

CONSTRUCTION
INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
YUMA COUNTY

A.G. #KR92-0581-TRN
ECS File: JPA #92-18
Proj: HX010 01C
S-491-503/280 YU 1
Section: Yuma County
SR 280 & Gila Ridge Rd

JPA #92-18

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and YUMA COUNTY hereinafter called "COUNTY",

WHEREAS, the STATE is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE,

WHEREAS, The COUNTY is empowered by A.R.S. Section 11-251 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said COUNTY,

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in YUMA COUNTY. This work shall consist of the installation of new traffic signals at the following location:

SR 280 and Gila Ridge Road - MP 1.20

Project #280 YU 1 HX 010 01C S-491-503

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals and/or highway lighting on SR 280 and Gila Ridge Road - MP 1.20 in Yuma County.
2. The STATE will be responsible for any contractor claims for extra compensation attributable to State.
3. The COUNTY, upon completion of the work shall reimburse the STATE for 50% of the final construction and engineering costs at SR 280 at Gila Ridge Road MP 1.20, not to exceed \$37,500 for its share of the cost of the work.
4. The COUNTY will be responsible for any contractor claims for extra compensation attributable to the COUNTY.
5. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals and/or highway lighting are complete, in place, and functional.
6. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to A.R.S. §38-511.
7. The provisions of A.R.S. §35-214 are applicable to this Agreement.

8. In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

9. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

10. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the COUNTY is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

STATE OF ARIZONA

ARIZONA DEPARTMENT OF TRANSPORTATION

BY:



State Traffic Engineer

DATE:

3/4/92

YUMA COUNTY

BY:


DANNY L. BRYANT


TITLE:

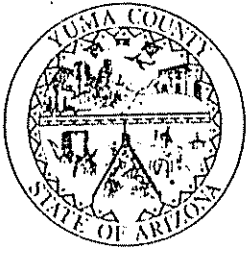
Chairman

DATE:

February 18, 1992

ATTEST:


JAMES R. STAHLE,
Clerk/County Administrator



Yuma County
Yuma, Arizona

OFFICE OF THE
BOARD OF SUPERVISORS
198 Main Street
Yuma, Arizona 85364
Phone 329-2104

BOB McCLENDON
DISTRICT 1

R. PETE WOODARD
DISTRICT 2

DANNY L. BRYANT
DISTRICT 3

ROBERT (BOB) PHILLIPS
DISTRICT 4

DONALD R. PETERSON
DISTRICT 5

JAMES R. STAHL
COUNTY ADMINISTRATOR

February 26, 1992

STATE OF ARIZONA)

COUNTY OF YUMA)

EXHIBIT "A"

I, James R. Stahle, Clerk of the Board of Supervisors, do hereby certify that I am required by law to maintain custody of the minutes of the Board of Supervisors, and that the following is a true and correct copy of a portion of the minutes for the Board meeting held February 18, 1992.

Approve and authorize Chairman to sign Intergovernmental Agreement (IGA) with Arizona Department of Transportation, Highways Division, for INSTALLATION OF TRAFFIC SIGNALS at SR-280 (Avenue 3E) and Gila Ridge Road, 50/50 split of construction costs (County share not to exceed \$37,500, the cost of which shall be from the 1992-93 budget), County to assume electrical cost after completion as per IGA 78-619) for the Public Works Department.

Supervisor Peterson moved to approve and authorize Chairman to sign Intergovernmental Agreement (IGA) for construction and the letter of addendum to IGA No. 78-619 for maintenance of traffic signals at State Route 280 (Avenue 3E) and Gila Ridge Road.

Chairman Bryant clarified that this was a motion per staff recommendation, and that it was with the understanding that no bill would arrive until next year. The budget to be encumbered would be the 1992-93 HURF Budget unless something else was specified during budget sessions.

The motion was seconded by Supervisor Phillips and carried 3-2, Supervisors McClendon and Woodard dissenting.

In Witness Whereof I have hereunto set my hand
and affixed the Official Seal of the Board of
Supervisors. Done at Yuma, the County Seat,
this 26th day of February, 1992.

(SEAL)



JAMES R. STAHLE,
Clerk/County Administrator

JRS/cpi
02-18-92.ext

EXHIBIT "B"
APPROVAL OF THE ATTORNEY

I hereby state that I have reviewed the proposed Construction Intergovernmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and YUMA COUNTY and declare the Agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 27 day of January, 1998.

YUMA COUNTY

BY: Wm. Michael Smith
Dep County Attorney

CONSTRUCTION - TRAFFIC SIGNALS

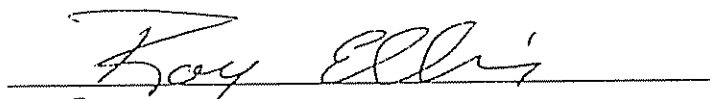
SR 280 and Gila Ridge Road - MP 1.20

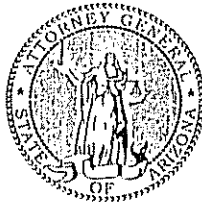
280 YU 1 HX 010 01C S-491-503

YUMA COUNTY

RESOLUTION

BE IT RESOLVED on this 22nd day of January, ¹⁹⁹² that I, CHARLES E. COWAN, as Director, ARIZONA DEPARTMENT OF TRANSPORTATION, have determined that it is in the best interest of the State of Arizona that the ARIZONA DEPARTMENT OF TRANSPORTATION, acting by and through the Highways Division, enter into a Construction Intergovernmental Agreement with YUMA COUNTY for the installation of traffic signals and/or highway lighting justified by a traffic signal needs study. YUMA COUNTY shall reimburse the STATE for 50% of the final construction and engineering costs not to exceed \$37,500 for its share of the cost of this work. THEREFORE, authorization is hereby given to draft said Agreement which, upon completion, shall be submitted for approval and execution by the State Traffic Engineer.


for CHARLES E. COWAN, DIRECTOR
ARIZONA DEPARTMENT OF TRANSPORTATION



ADOT Contract No. JPA 92-18

STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON. PHOENIX 85007

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT

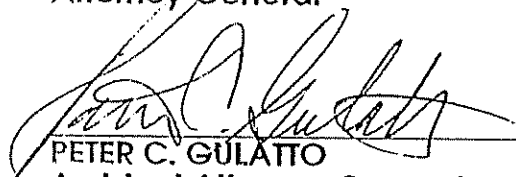
DETERMINATION

A. G. Contract No. KR92-0581-TRN, is an agreement between public agencies and has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 11 day of March, 1992.

GRANT WOODS
Attorney General


PETER C. GULATTO
Assistant Attorney General
Transportation Section